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U.S. DISTRICT COURT E.D.N.Y.

★ FEB 19 2019 ★

LONG ISLAND OFFICE

ML:OG  
F. #2018R01935

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

----- X

UNITED STATES OF AMERICA

- against -

MICHAEL WUSTROW,

Defendant.

----- X

THE GRAND JURY CHARGES:

INDICTMENT

Cr. No. **CR 19 087**  
(T. 18, U.S.C., §§ 2252(a)(2),  
2252(a)(4)(B), 2252(b)(1), 2252(b)(2),  
2253(a), 2253(b) and 3551 et seq.;  
T. 21, U.S.C., § 853(p))

FEUERSTEIN, J.  
BROWN, M. J.

COUNT ONE

(Receipt of Child Pornography)

1. On or about September 1, 2016, within the Eastern District of New York and elsewhere, the defendant MICHAEL WUSTROW did knowingly and intentionally receive a visual depiction, to wit: the digital image depicted in the computer file Attachmentbc479608-125a-491d-9e0a-c21a8e4a1be5.jpg, using a means and facility of interstate and foreign commerce, which visual depiction had been mailed, and had been shipped and transported in and affecting interstate and foreign commerce, and which contained materials which had been mailed and so shipped and transported, by any means including by computer, the production of such visual depiction having involved the use of one or more minors engaging in sexually explicit conduct, and such visual depiction having been of such conduct.

(Title 18, United States Code, Sections 2252(a)(2), 2252(b)(1) and 3551

et seq.)

COUNT TWO  
(Possession of Child Pornography)

2. On or about September 11, 2017, within the Eastern District of New York, the defendant MICHAEL WUSTROW did knowingly and intentionally possess matter which contained one or more visual depictions, to wit: digital images stored on an Apple iPhone cellular telephone with serial number DNRQFPD1GRY9, that had been mailed, and had been shipped and transported using a means and facility of interstate and foreign commerce and in and affecting interstate and foreign commerce, and which were produced using materials which had been mailed and so shipped and transported, by any means including by computer, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct, and such visual depictions having been of such conduct.

(Title 18, United States Code, Sections 2252(a)(4)(B), 2252(b)(2) and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

3. The United States hereby gives notice to the defendant that, upon his conviction of either of the offenses charged herein, the government will seek forfeiture in accordance with Title 18, United States Code, Section 2253(a), which requires the forfeiture of (a) any visual depiction described in Section 2251, 2251A, 2252, 2252A, 2252B or 2260 of Title 18 of the United States Code, or any book, magazine, periodical, film, videotape or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped or received in violation of such sections; (b) any property, real or personal, constituting, or traceable to, gross profits or other proceeds obtained from such offenses; and

(c) any property, real or personal, used or intended to be used to commit or to promote the commission of such offenses or any property traceable to such property, including but not limited to one Apple iPhone cellular telephone with serial number DNRQFPD1GRY9, which was seized from the defendant's residence on or about September 11, 2017.

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be

divided without difficulty;


it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), as incorporated by Title 18, United States Code, Section 2253(b), to seek forfeiture of any

other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Sections 2253(a) and 2253(b); Title 21, United States Code, Section 853(p))

A TRUE BILL

  
\_\_\_\_\_  
FOREPERSON

  
\_\_\_\_\_  
RICHARD P. DONOGHUE  
UNITED STATES ATTORNEY  
EASTERN DISTRICT OF NEW YORK

F.#: 2018R02061  
FORM DBD-34  
JUN. 85

No. \_\_\_\_\_

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**UNITED STATES DISTRICT COURT**

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

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THE UNITED STATES OF AMERICA

vs.

MICHAEL WUSTROW,

Defendant.

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**INDICTMENT**

(T. 18, U.S.C., §§ 2252(a)(2), 2252(a)(4)(B), 2252(b)(1), 2252(b)(2),  
2253(a), 2253(b) and 3551 et seq.; T.21, U.S.C., § 853(p))

*A true bill.*



Foreperson

Filed in open court this \_\_\_\_\_ day,

of \_\_\_\_\_ A.D. 20 \_\_\_\_\_

Clerk

Bail, \$ \_\_\_\_\_

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*Oren Gleich, Assistant U.S. Attorney (718) 254-6569*